

2. For an enzyme which is capable of converting a compound into a substrate for the galactose oxidase: a galactanase, disclosed, *e.g.*, at page 9, line 33;
3. For a galactose-containing substrate compound: a galactan, such as arabinogalactan or arabinose-free arabinogalactan, *e.g.*, see page 7, line 23 - page 8, line 15.

November 27<sup>th</sup> Response, p. 3.

For example, in the group of species 1., the Examiner said he would like Applicants to elect either the galactose oligomer or galactose dimer.

Furthermore, for every claim dependent from claim 33 which includes an element not already included in claim 33, the Examiner would like Applicants to elect a single species for the added element.

## II. REPLY TO THE OFFICE COMMUNICATION

In the Communication, the Examiner stated that Applicants “must specifically list each and every component to be included in the elected composition.”

Communication, p. 2 (emphasis in the original). 37 C.F.R. § 1.111 (“Section 111”) was relied upon for this assertion.

Applicants’ understanding of Section 111 is that it requires an Applicant to reply to an Office Action by “. . . distinctly and specifically - [pointing] out supposed errors in the examiner’s action and [replying] to every ground of objection and rejection in the prior Office Action.” 37 C.F.R. § 111(b). While Applicants were unable to find a requirement in that section of the Rules for listing each and every component which is to be included in the elected composition, they understand the Communication to reiterate

the same requirement as discussed during the telephone conversation (summarized above).

In response to the Examiner's request, Applicants elect the following components (species) for each of the groupings 1., 2. and 3. (identified above):

1. For an oxidizable substrate for galactose oxidase: galactose oligomer;
2. For an enzyme which is capable of converting a compound into a substrate for the galactose oxidase: a galactanase;
3. For a galactose - containing substrate compound: a galactan.

Furthermore for:

- (a) claim 32 - hemicellulose (*e.g.*, see specification page 9);
- (b) claim 34 - fungal species;
- (c) claim 41 - a starch degrading enzyme;
- (d) claim 42 - a leavening agent (*e.g.*, see page 10, line 9).

Applicants submit that they have fully responded to the Communication and the restriction requirement and urge examination of the Application on the merits.

### III. REQUEST FOR ALLOWANCE

Applicants also submit that all claims are in condition for allowance, an indication of which is solicited. In the event any outstanding issues remain, Applicants would appreciate the courtesy of a telephone call to the undersigned counsel to resolve such issues in an expeditious and effective manner.

It is believed that no additional fees are due in connection with this filing.  
However, in the event that any fees are necessary, the Commissioner is hereby  
authorized to charge our Deposit Account No. 50-0206.

Respectfully submitted,  
HUNTON & WILLIAMS

Dated: February 14, 2003

By: 

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